GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue Department – Allegation of Corruption against Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District- Trapped by the ACB on 17.05.2016 - Convicted by the Hon'ble Court of the Special Judge for Trail SPE & ACB Cases, Kurnool in C.C.No.22/2017- "Withholding entire pension and Gratuity in full permanently" – Orders – Issued.

REVENUE (VIGILANCE.III.2) DEPARTMENT

G.O.MS.No. 145 **Dated: 23-06-2021.**
Read the following:-

1. Final report from the DG, ACB, Rc.No.67/RCT-KUR/2016.S.6, Dt:31.05.2017
2. G.O.Ms.No.293, Revenue(Vig.III.2)Department, Dated.14.07.2017.
3. From the DG, ACB, Rc.No.67/RCT-KUR/2016, Dt.25.01.2021 along with judgment of Hon'ble Court of the Special Judge for Trail SPE & ACB Cases, Kurnool in C.C.No.22/2017.

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ORDER:

Whereas, Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District (now retired) was trapped by the Anti Corruption Bureau on 17.05.2016 while accepting bribe of Rs.6,000/- from the complainant for doing official favour.

2. And where, in the reference 1st read above, the Director General, Anti Corruption Bureau has furnished final report and recommended to prosecute the Accused Officer Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District (now retired) in a court of law since he has committed offences punishable under section 7 & 13(2) r/w 13(1) (d) of P.C. Act. 1988. Accordingly, sanction of prosecution orders were issued against Sri Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District vide G.O. 2nd read above.

3. And whereas, in the reference 3rd read above, the Director General, Anti Corruption Bureau has informed that the Hon'ble Court of the Special Judge for Trail SPE & ACB Cases, Kurnool has pronounced judgement dated:18.12.2020 in C.C.No.22/2017 convicting the Accused Officer is found guilty for the for the offences punishable under sections 7 & 13 (2) r/w 13 (1) (d) of the P.C. Act, 1988 and he is convicted under section 248(2) of Cr.P.C. Further, the Director General, Anti Corruption Bureau has informed that the Accused Officer Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District was retired from service on 31.07.2018. Hence, the Director General, Anti-Corruption Bureau has requested to issue necessary orders of withholding of pension and gratuity in full permanently against the Accused Officer i.e. Sri Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District (Now retired) as per A.P.Revised Pension Rules, 1980. The Hon'ble Court of the Spl. Judge for Trail of SPE & ACB Cases, Kurnool in C.C.No.22/2017 has passed the following order dated:18.12.2020 (Operative portion): "101. In the result, accused officer is found guilty for the offences punishable U/s 7 and 13 (2) r/w 13 (1)(d) of prevention of corruption Act, 1988 and he is convicted U/s 248 (2) Cr.P.C. Accused officer is sentenced to suffer rigorous imprisonment for a period of Two Years and shall pay a fine of Rs.5,000/- for the offence U/s 7 of Prevention of Corruption Act, 1988, and accused officer is also sentenced to suffer rigorous Imprisonment for a period of two years and shall pay a fine of Rs.5,000/- for the offence U/s 13 (2) r/w 13 (1) (d) of prevention of corruption Act, 1988, in default of payment of fine, accused officer shall undergo simple imprisonment for a period of three months under each count. Both the substantive sentences of imprisonment imposed against accused shall run concurrently. Remand period undergone by accused i.e. from 18.05.2016 to 09.06.2016 shall be set off U/s 428 Cr.P.C. Total fine amount payable by accused is Rs.5,000/- + Rs.5,000/- = Rs 10,000/- (Rupees Ten Thousand Only) M.O. 5 i.e. tainted amount of Rs.6,000/- (which is in FDR) is ordered to be returned to complainant –P.W.1 if not reimbursed earlier by department and if returned, the same shall be remitted in the Government Treasury and rest of the material objects M.Os. 1 to 4 and 6 to 8 shall be destroyed, after appeal time is over."

4. And whereas, on the consideration of the facts and circumstances of the case with reference to the instructions issued in G.O. Ms. No.2 General Administration (Services-C)

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Department, dated:04.01.1999 and Memo No.178/Spl.C/2003-1, General Administration (Special-C) Department, dated 07- 05-2003, Government have decided to impose the penalty of withholding of 100% pension and gratuity in full permanently against Sri Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District (now retired) with immediate effect for his conviction in criminal case.

5. Now, therefore, in exercise of the powers conferred under sub-Rule (2) of Rule-8 and Sub- Rule (1) of Rule-9 of Andhra Pradesh Revised Pension Rules, 1980 and under clause (i) of Rule 25 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with instructions issued in G.O.Ms.No.2 General Administration (Services-C) Department, dated:04.01.1999 and Memo No.178/Spl.C/2003-1, General Administration (Special-C) Department, dated 07-05-2003, Government have decided and hereby impose a penalty "withholding of 100% Pension and Gratuity in full permanently" against Sri Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District (now retired) with immediate effect as he was convicted by the Hon'ble Court of the Special Judge for Trail SPE & ACB Cases, Kurnool in judgment dated:18.12.2020 in C.C.No.22/2017.

6. The Chief Commissioner of Land Administration, Andhra Pradesh / Collector & District Magistrate, Kurnool shall take necessary further action accordingly.

7. The following Notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette, dated:23.06.2021.

NOTIFICATION

In exercise of the powers conferred under sub-Rule (2) of Rule-8 and Sub Rule (1) of Rule-9 of Andhra Pradesh Revised Pension Rules, 1980 and under clause (i) of Rule 25 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with instructions issued in G.O.Ms.No.2 General Administration (Services-C) Department, dated:04.01.1999 and Memo No.178/Spl.C/2003-1, General Administration (Special-C) Department, dated 07- 05-2003, Government hereby impose a penalty of "withholding of 100% Pension and Gratuity in full permanently" against Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District (now retired) with immediate effect as he was convicted by the Hon'ble Court of the Special Judge for Trail SPE & ACB Cases, Kurnool vide judgment dated:18.12.2020 in C.C.No.22/2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Sri Bariki Yellappa, Village Revenue Officer, Virapuram and Gonebavi Villages of Adoni Mandal, Kurnool District through the Collector, Kurnool District.
The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada.
The Commr, Printing, Stores Purchase, AP, Vijayawada (with a request to publish the Notification in the A.P. Gazette immediately)
The Collector & District Magistrate, Kurnool District (with a request to serve the G.O.on the individual and send the served copy with dated signature to the Government for record).

Copy to:-

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi.
The Director of Treasuries & Accounts, Andhra Pradesh, Vijayawada.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER